JUL 16 2002 JC58 PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nabil A. Abu El Ata and Peter M. Zelechoski

Application No.: 10/005,481 Group Art Unit: 2123

Filed: October 26, 2001 Examiner: Not Assigned

Title: SYSTEM AND METHOD FOR MULTI-PHASE SYSTEM DEVELOPMENT WITH PREDICTIVE MODELING

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202
on 07-11-02 Donna Bartalone
Date Signature
Donna Bartolone
Typed or printed name of person signing certificate

INFORMATION DISCLOSURE STATEMENT

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JUL 18 2002
Technology Center 2100

Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

This Information Disclosure Statement is submitted:

[ ] under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

[X] under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

[ ] under 37 CFR 1.97(c) together with either:

[ ] a Statement under 37 CFR 1.97(e), as checked below, or

[ ] a $180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

[ ] under 37 CFR 1.97(d) together with:

[ ] a Statement under 37 CFR 1.97(e), as checked below, and

[ ] a $180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

[ ] under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

[ ] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

[ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)
Applies to original applications (other than design) filed on or after May 29, 2000

[ ] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

[X] Copies of the cited references are enclosed.

[ ] Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

[ ] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

[ ] The "concise explanation" requirement (non-English references) for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:

[ ] the explanation provided on the attached sheet.

[ ] the explanation provided in the Specification.

[ ] submission of the enclosed International Search Report.

[ ] submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

[ ] the enclosed English language abstract.

[ ] Applicant requests that the following non-published pending applications be considered:

Examiner's Initials

_____ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

_____ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

_____ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

_____ _____

Examiner Date

[ ] A copy of each above-cited application, including the current claims, is enclosed.

[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

[ ] Please charge Deposit Account 08-0380 in the amount of $[ ]. A copy of this Statement is enclosed.

[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

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Dated: 7/11/07

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION

June 26, 2002

(Use several sheets if necessary)

ATTORNEY DOCKET NO.	APPLICATION NO.
3023.1001-003	10/005,481
APPLICANT: Nabil A. Abu El Ata, et al.	
FILING DATE: October 26, 2001	GROUP: 2123

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA	5,146,591	09/08/92	Bachman, *et al.*	395	600	
	AB	5,193,183	03/09/93	Bachman	395	600	
	AC	5,195,178	03/16/93	Krieger, *et al.*	395	157	
	AD	5,241,645	08/31/93	Cimral, *et al.*	395	500	
	AE	5,276,877	01/94	Friedrich, *et al.*	709	105	
	AF	5,446,874	08/95	Waclawsky, *et al.*	714	1	
	AG	5,486,995	01/96	Krist, *et al.*	364	149	
	AH	5,522,014	05/96	Clark, *et al.*	706	45	
	AI	5,680,590	10/21/97	Parti	395	500	
	AJ	5,724,556	03/03/98	Souder, *et al.*	395	500	
	AK	5,724,569	03/03/98	Andres	395	602	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES	TRANSLATION NO
	AL							

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AR	"BMC Software BEST/1," http://www.bgs.com (Updated: April 10, 1998), 1 pg.
	AS	"About BEST/1," http://www.bgs.com/bgs.htm (Printed Out: May 21, 1998) 1 pg.
	AT	"BMC Software to Acquire BGS Systems," http://www.bgs.com/bmcbgs.htm (Printed Out: May 21, 1998), 3 pgs.
	AU	"Performance and Capacity Management, BEST/1-Visualizer for AS/400," http://www.bgs.com/as400/as4_home.htm (Printed: May 21, 1998), 2 pgs.
	AV	"BEST/1-Visualizer for AS/400, Product Description," http://www.bgs.com/as400/Slid_2.html (Printed Out: May 21, 1998), 2 pgs.
	AW	"BEST/1-Visualizer for AS/400, Bottleneck Detection and Analysis," http://www.bgs.com/as400/Slid_3.html (Updated: November 22, 1996), 2 pgs.
	AX	"BEST/1-Visualizer for AS/400, Threshold Exception Reporting," http://www.bgs.com/as400/Slid_4.html (Updated: January 23, 1997), 2 pgs.

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA2	5,726,914	3/98	Janovski, *et al.*	702	84	
	AB2	5,771,370	6/98	Klein	395	500.34	
	AC2	5,790,789	8/98	Suarez	709	202	
	AD2	5,801,958	9/98	Dangelo, *et al.*	364	489	
	AE2	5,809,282	9/98	Cooper, *et al.*	709	226	
	AF2	5,881,268	3/99	McDonald, *et al.*	395	500.44	
	AG2	5,893,074	4/99	Hughes, *et al.*	705	8	
	AH2	5,953,707	9/99	Huang, *et al.*	705	10	
	AI2	5,958,009	9/99	Friedrich, *et al.*	709	224	
	AJ2	5,984,511	11/99	Vasey-Glandon, *et al.*	364	512	
	AK2	5,999,734	12/99	Willis, *et al.*	395	706	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	AL						

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	AY	"BEST/1-Visualizer for AS/400, Track and Trend Long-term Performance," http://www.bgs.com/as400/Slid_6.html (Printed Out: May 21, 1998) 2 pgs.
	AZ	"BEST/1-Visualizer for AS/400, CPU/System Graphs," http://www.bgs.com/as400/Slid_8.html (Updated: November 29, 1996, 2 pgs.
	AR2	"BEST/1-Visualizer for AS/400, I/O Subsystem Graphs," http://www.bgs.com/as400/Slid_9.html (Updated: November 30, 1996), 2 pgs.
	AS2	"BEST/1-Visualizer for AS/400, Storage Pool Graphs," http://www.bgs.com/as400/Slid_11.html (Updated: November 22, 1996), 2 pgs.
	AT2	"BEST/1-Visualizer for AS/400, Communication Line Graphs," http://www.bgs.com/as400/Slid_12.html (Updated: November 30, 1996), 2 pgs.
	AU2	"BEST/1-Visualizer for AZ/400, Job Graphs," http://www.bgs.com/as400/Slid_13.html (Updated: January 22, 1997) 2 pgs.

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	AA3	6,003,079	12/14/99	Friedrich, *et al.*	709	224	
	AB3	6,009,256	12/28/99	Tseng, *et al.*	395	500.34	
	AC3	6,038,540	3/14/00	Krist, *et al.*	705	8	

OTHER DOCUMENTS ***(Including Author, Title, Date, Pertinent Pages, Etc.)***

	AV2	"The Portable Simulation Initiative and the Common Modeling Framework," http://www.ses.com/psi-cmf.html (Updated: April 3, 1998), 3 pgs.
	AW2	"SES - - Products and Services: Why Simulate?" http://www.ses.com/whysimulate.html (Updated: April 2, 1998), 7 pgs. from Capacity Management Review, Vol. 36, No. 2, February, 1998.
	AX2	"SES in the Press," http://www.ses.com/news/html (Updated: April 8, 1998), 3 pgs.
	AY2	"SES Inc. Announces Release of Strategizer," http://www.ses.com/pr_archive/010297.html (Updated: July 14, 1997, 2 pgs.
	AZ2	"SES Releases SES/Workbench 3.1," http://www.ses.com/pr_archive/022896.html (Updated July 14, 1997), 3 pgs.
	AR3	"SES/workbench: Workbench Overview," http://www.ses.com/workbench.html (Updated: February 10, 1998), 3 pgs.
	AS3	"SES/objectbench: Batch Execution," http://www.ses.com/Objectbench/sim_details_batch.html (Updated: April 6, 1998), 2 pgs.
	AT3	"SES/objectbench: The Objectbench Animated Simulator," http://www.ses.com/Objectbench/simulator.html (Updated: April 15, 1998), 2 pgs.
	AU3	"SES/objectbench," http://www.ses.com/Objectbench/index.html (Updated April 6, 1998), 2 pgs.

EXAMINER	DATE CONSIDERED

PTO-1449 REPRODUCED **INFORMATION DISCLOSURE CITATION IN AN APPLICATION** **June 26, 2002** (Use several sheets if necessary)	ATTORNEY DOCKET NO. 3023.1001-003	APPLICATION NO. 10/005,481
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	FILING DATE October 26, 2001	GROUP 2123

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AV3	EETimes: Intel, Others Eye Performance Modeling Standard," http://www.techweb.com/se/directlink.cgi?EET19971103S0105 (November 3, 1997), 2 pgs.
	AW3	"Euroexpert: GATE™," Euroexpert SA, Antony, France (September 1, 1997), 2 pgs.
	AX3	"Euroexpert: Best Practices: Milan Stock Exchange," Euroexpert SA, Antony, Fanece (September 1, 1007), 2 pgs.
	AY3	"Euroexpert: Best Practices: France Telecom," Euroexpert SA, Antony, France (September 1, 1997), 2 pgs.
	AZ3	"Simulation modeling within workflow technology," Miller, *et al.*, Proceedings of the 1995 Winter Simulation Conference, December 3-6, 1995.
	AR4	"Analyzing and re-engineering business process using simulation," Bhskar, *et al.*, Proceeding of the 1994 Winter Simulation Conference, December 11-14, 1994.
	AS4	"BEST/1-Visualizer for AS/400, Workload Analysis," http://www.bgs.com/as400/Slid_5.html (Updated: Jan. 23, 1997), 2 pgs.
	AT4	Gunther, N., "The Practical Performance Analyst", *Performance-by-Design Techniques for Distributed Systems*, McGraw-Hill, Table of Contents only consisting of 9 pages, 1998.
	AU4	"Model Driver Architecture (MDA) Document number ormsc/2001-07-01", Architecture Board ORMSC[1], pp. 1-31, July, 2001.
	AV4	Grady, R., et al., "Software Metrics: Establishing A Company-Wide Program", Prentice-Hall, Inc., Table of Contents only, consisting of 5 pgs., 1987.
	AW4	Rechtin, E., "System Architecting", *Creating and Building Complex Systems*, Prentice Hall, 1991, Table of Contents only, consisting of 5 pages.
	AX4	Booch, G., et al., "The Unified Modeling Language User Guide", Addison Wesley Longman, Inc. 1999, Table of Contents only, consisting of 9 pages.
	AY4	Humphrey, W., "Managing the Software Process", SEI Series in Software Engineering, Addison-Wesley, 1990, Table of Contents only, consisting of 7 pages.

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	AZ4	Boehm, B., "Software Engineering Economics", Prentice Hall, 1981, Table of Contents only, consisting of 14 pages.
	AR5	Soley, R., et al., "Model Driven Architecture" *Object Management Group*, pp. 1-12 (2000, November 27).
	AS5	Hutchins, G., "ISO 9000, A Comprehensive Guide to Registration, Audit Guidelines, and Successful Certification" (Oliver Wight Publications, Inc.) 1993, Table of Contents Only consisting of 5 pages.
	AT5	Lazowska, E., et al., "Quantitative System Performance: *Computer System Analysis Using Queueing Network Models*", Prentice-Hall, Inc., 1984, Table of Contents Only consisting of 8 pages.
	AU5	Beck, K., "Extreme Programming Explained", Addison-Wesley 2000, Table of Contents Only consisting of 7 pages.
	AV5	Sarris, D., et al., "The White Papers: *Capacity Planning for e-Commerce Systems With Benchmark Factory™*", http://www.quest.com/whitepapers/cap_plan_Ecomm.pdf, pp. 1-19. No date given.
	AW5	Leymann, F., et al, "Production workflow: concepts and techniques", 2000, Table of Contents Only consisting of 14 pages.
	AX5	"PYRAMID: Quantitative management: get a grip on software!" 100 pages, 1991.
	AY5	Shaw, M., et al., "Software Architecture: *Perspectives on an Emerging Discipline*", Prentice Hall 1996, Table of Contents only consisting of 7 pages.
	AZ5	"EuroExpert GATE™ MODEL Product Description: *A predictive approach to efficient information systems*", pp 1-21, 1994.

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